

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION**

A.G., a minor child; D.A., a minor child; )  
A.L., a minor child; M.K., a minor child; )  
and M.H., a minor child; )  
   )  
**PLAINTIFFS,**                                     )  
   )   **CASE NO: 2:05-CV-1090-W**  
**VS.**   )  
   )  
**AUTAUGA COUNTY BOARD OF**                     )  
**EDUCATION; JOSEPH BUTLER**                     )  
**and TERRY WRIGHT,**                             )  
   )  
**DEFENDANTS.**                                     )

**REPORT OF PARTIES' PLANNING MEETING**

1. Pursuant to Federal Rule of Civil Procedure 26(f), a meeting was held on January 19, 2006 by telephone and was attended by:

Michael Crow and Rick Drummond for plaintiffs;

Terry Wright, pro se; and

Katherine C.Hortberg for defendants Autauga County Board of Education and Joseph L. Butler.

2. Pre-Discovery Disclosures: The parties will exchange by February 2, 2006 the information required by Fed.R.Civ.P. 26(a)(1).

3. Discovery Plan. The parties jointly propose to the Court the following discovery plan:

All discovery commenced in time to be complete by March 1, 2007.

Maximum of 40 interrogatories by each party to any other party. [Responses due 30 days after service.]

Maximum of 40 requests for admissions by each party to any other party. [Responses due

30 days after service.]

Maximum of 25 depositions by plaintiffs and 25 by defendants.

Each deposition limited to maximum of 8 hours unless extended by agreement of parties.

Reports from retained experts under Rule 26(a)(2) are due:

from plaintiffs: October 16, 2006;

from defendants: November 15, 2006.

Supplementations under Rule 26(e) are due 30 days before the close of discovery.

4. Other Items.

The parties do not request a conference with the Court before entry of the scheduling order.

The parties request a pretrial conference on April 16, 2007.

Plaintiffs should be allowed until August 1, 2006 to join additional parties and until August 1, 2006 to amend the pleadings.

Defendants should be allowed until August 1, 2006 to join additional parties and until August 1, 2006 to amend the pleadings.

All potentially dispositive motions should be filed by April 1, 2007.

Settlement cannot be evaluated prior to the completion of discovery.

Final lists of witnesses and exhibits under Rule 26(a)(3) should be due

from plaintiffs: 30 days prior to trial;

from defendants: 30 days prior to trial.

If the final lists of witnesses includes a witness not previously identified in any party's initial or supplemented disclosures or during discovery, the parties agree that any party may take that witness' deposition prior to trial.

Parties should have 7 days after service of final lists of witnesses and exhibits to list

objections under Rule 26(a)(3).

The case should be ready for trial by June 4, 2007 in Montgomery, Alabama [and at this time is expected to take approximately 3 days].

Respectfully submitted,

*s/Katherine C. Hertberg*

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#### **CERTIFICATE OF SERVICE**

I hereby certify that on **January 23, 2006**, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Michael J. Crow, Esq.  
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*s/Katherine C. Hertberg*  
OF COUNSEL